Responses to SDI Synopsis Questions

1. Q: The capability statement document is limited to 20 pages. Providing synopsis information on three relevant contracts for the prime contractor and one for each subcontractor on our team will mean that most of the capability statement response will be devoted to past performance. This significantly limits the amount of detail that can be provided in the technical and management approach areas. Is this USPTO's intent?

A: It is the USPTO's intent that past performance references be included within the 20-page limit.

2. Q: USPTO is asking us to put sensitive pricing data (Overhead and G&A rates) in our capability statement which we will submit on July 9th. We would like to submit this pricing data in a separate document in order to protect its confidentiality. Is this acceptable?

A: Yes, the pricing data should be submitted in a separate document.

3. Q: Does the USPTO want indirect cost rates (Overhead and G&A rates) from all subcontractors as part of the July 9th submission, or only the rates for the prime contractor?

A: The indirect cost rates should only be submitted for prime contractor. Burdened labor rates for each labor category for proposed subcontractors should be submitted.

4. Q: The Synopsis states that "USPTO's minimum requirement for subcontracting opportunities for socio-economic goals will be 30% of the contracting dollars, awarded as a result of this procurement." Does this mean that USPTO intends to award prime contracts to small businesses to promote the 30% goal or that large business primes should plan to subcontract 30% to socio-economically disadvantaged businesses, or does this mean that large business prime should have a goal of 30% of their subcontracted dollars for socio-economically disadvantaged businesses? Please clarify.

A: This means that if an offeror is a large business prime, a minimum of 30% of the contracting dollars will be required to be subcontracted to small businesses to meet socio-economic goals. It is the USPTO's intention to include performance metrics to encourage the achievement of these goals.

5. Q: Can USPTO please clarify the direction "All Capabilities Statements documents shall be submitted as outlined below: Page…and formatted 8 1/2 by 11..." May foldout(s) be used for providing the project plans in the Scenario?

A: No, foldouts may not be used.

6. Q: Can USPTO please clarify the direction "All Capabilities Statements documents shall be submitted as outlined below: The type for all proposal documents (including charts and graphs) shall be black." Are we correct in assuming that all text fonts must be black, but that any bars, graphs, graphical art, pictures, and so forth may be in color?

A: Yes. Text should be in black only.

7. Q: Can USPTO please clarify the direction "All Capabilities Statements documents shall be submitted as outlined below: The font…12pt..." Such large font size for charts, graphs, project plans, and graphical art can be problematic. Can smaller font sizes, say down to 8 pt, be used for such graphical and project plan presentations?

A: Yes, smaller type font (down to 8 point) may be used for graphics and project plan presentations; however, the type font must be easily readable.

8. Q: A Table of Contents would make the Government's work of evaluating the response to the Capabilities Statement and the Scenario easier. However, to provide such a feature would take away from the allocated page count. May we assume that a Title Page and Table of Contents are not to included in the page counts of the Statement and the Scenario?

A: Yes.

9. Q: Is it the USPTO's intention to have two separate submission documents, one for the Capability Statement and another separate document for the response of the E-Gov scenario?

A: One document for both the Capability Statement and the E-Gov Scenario is acceptable and preferable.

10. Q: This synopsis states that the current contract ends May 2005. Should the Offerors assume that June 1, 2005 should be used as the new contract start date for escalation purposes only. If not, please clarify if an earlier date for transition should apply and what date should be used?

A: The USPTO estimates that the contract award will be no later than December 1, 2004.

11. Q: The Labor Category definitions do not include educational requirements and minimum years of experience. Is it the Government's desire that Offerors are to determine the minimum requirement for all labor categories proposed or is the Government going to include the minimum labor category qualification requirements in the final solicitation after the Step 1 evaluation? Please clarify.

A: When acquiring information technology services, FAR §39.104 prohibits minimum experience or educational requirements for proposed contractor

personnel. In addition, the resulting contract will be performance-based. Therefore, the USPTO will not specify minimum qualification requirements for the labor categories.

12. Q: Paragraph 2 of Synopsis contains an introductory sentence that states that responses must address "three specific areas" (technical approach, management approach, and past performance information). Two sentences later, the Synopsis states "Additionally, if the response represents a team of companies, with a prime and non-prime companies, each non-prime company must provide at least one relevant contract reference; *and (4) cost*." *[emphasis added].* This language may suggest that non-prime contractors are required to provide cost information. Our assumption is that the introductory sentence should have said in "four specific areas" (i.e., technical approach, management approach, past performance information, and cost) and that non-prime companies are not required to provide any cost information. Is our assumption correct?

A: Yes. Non-prime company must provide at least one relevant contract reference and the total cost of that contract. Detailed cost information for each non-prime contractor proposed is not required.

13. Q: In our RFI response, while we used standard fonts and font sizes for body text, we used a mixture of fonts and font sizes in graphics and tables to enhance information presentation and legibility. We assume that this same approach will be valid for our synopsis response. Is our assumption correct?

A. Yes. Smaller type font (down to 8 point) may be used for graphics and project plan presentations; however, the type font must be easily readable. See Question and Answer no. 7.

14. Q: Section C.3 (Work to be Performed) appears to contain 12 major subsections (e.g., C.3.1 System Analysis and Design, C.3.2 Programming). Each of these major subsections—with one exception—contains a numbered paragraph with a general description of the types of services that USPTO expects respondents to provide. The CR is lacking such a heading and general description for what would be C.3.12. Will the Government please provide the heading that should correspond to section C.3.12 along with the general description of the services required?

A. The subsection title was inadvertently omitted. The CR has been corrected and posted on the website. Section C.3.12 is titled "Acquisition of Software, Equipment, Services and Supplies."

15. Q: The second paragraph under Section 3.5.5 ends with the words "Tasks include:", suggesting that there may be some missing text describing specific tasks the USPTO would like to see addressed. Please clarify whether there is, in fact, some missing text and, if so, provide the apparently missing text.

A: There is no missing text. This is a typographical error. The CR has been corrected and posted to the website.

16. Q: The third page of the Synopsis (in the last paragraph) indicates that the USPTO's minimum requirement for subcontracting opportunities for socio-economic goals will be 30% of the contracting dollars, awarded as a result of this procurement. Our assumption is that the requirement for 30% small business content can be met by 2nd tier subcontractors. Is our assumption correct?

A: No. The 30% requirement must be met at the 1st tier subcontractor level. See Question and Answer No. 4.

17. Q: Due to the page limitation, we assume that it would be acceptable to limit past performance information to our teaming partners that we expect will have a significant share of the execution responsibilities (i.e., 5% or greater). Is our assumption correct?

A: Yes.

18. Q: With a 20-page limit for technical approach, management approach, and past performance information, it is extremely difficult to adequately respond to the past performance requirements within the 20-page limit to satisfy the size, scope and characteristics of the requirements as defined in the CR, assuming a task order based contract. Additionally, if a team includes non-prime companies, it limits the ability to adequately respond to all the requirements. Request that the past performance response be excluded from the 20-page limitation of the Capability Statement and that the past performance response be limited to 10 pages.

A: It is the USPTO's intent that past performance references be included within the 20-page limit.

19. Q: Does the USPTO require a Times Roman 12 pt. font for charts and graphs? With a 20-page limit for technical approach, management approach, and past performance information, it would be difficult to effectively present graphical or chart information in a comprehensive manner. Request font in charts and graphs to be no less than 10 pt.

A: Smaller type font (down to 8 point) may be used for graphics and project plan presentations; however, the type font must be easily readable. All other text shall require 12 pt. See Question and Answer No. 7.

20. Q: Does the USPTO require the response to be formatted for 8" by 11"? Request the response be formatted for 8.5" by 11".

A: The synopsis states that the Capability Statements page margins shall be one (1) inch on all sides and formatted for 8 1/2" x 11" single-spaced print.

21. Q: Section C.3.12 appears to be missing. Please provide Section C.3.12.

A. The subsection title was inadvertently omitted. The CR has been corrected and posted on the website:

http://www.uspto.gov/web/offices/ac/comp/proc/sdisupp/sdihom.htm. Section C.3.12 is titled "Acquisition of Software, Equipment, Services and Supplies." See Question and Answer No. 14.

22. Q: We noticed in the synopsis that it was written that vendors must be located in the Washington D.C. metropolitan area. Is it ok for subcontractors to be located outside this area?

A: The location of subcontractors is at the discretion of the prime contractor.

23. Q: Is there a Small Business subcontracting plan in the Current Contracts?
If so, what are the overall goals, what are any subcomponents of those (Hub, W/O, etc.)?
If so, is there a methodology to evaluate and/or incentivize performance of the Primes in meeting those goals (e.g.) is meeting the goal part of an incentive fee plan?

A: The current contracts contain Small Business subcontracting plans. The current SDM contracts are available on the USPTO website at http://www.uspto.gov/web/offices/com/sol/foia/current.html. There is not an incentive fee plan in the current contracts. The current contractors are presently exceeding the goals in their subcontracting plans.

24. Q: Same questions for the re-compete: Will you establish a specific Small Business Subcontracting Plan, evaluate the proposed plans as part of your evaluation methodology, and design an incentive plan to be in effect during contract performance?

A**. The minimum acceptable requirement for subcontracting opportunities for socio-economic goals will be 30% of the contracting dollars, awarded as a result of this competition. Any apparently successful offeror, large business, which is awarded a contract that is expected to exceed $500,000 is required by Section 8(d) of the Small Business Act (15 U.S.C. 637(d) to submit an acceptable subcontracting plan. The USPTO intends to award a cost-plus-award fee contract based on performance-based contracting methods. The USPTO will require offerors who receive the Request for Proposal to include proposed subcontracting plans as well as performance metrics which will be used for both proposal evaluation and performance evaluation (post-award) purposes.**